

Miami-Dade County Department of Regulatory and Economic Resources
Construction Trades Qualifying Board Division “B”
Minutes of May 6th, 2014

The **Construction Trades Qualifying Board Division “B”** was called to order at **10:26 A.M.**, on **Tuesday, May 6th, 2014**, in the 2nd Floor Conference Rooms I/J of the Herbert S. Saffir Permitting and Inspection Center located at 11805 SW 26th Street (Coral Way), Miami, Florida 33175.

Members Present

Nestor Bustamante, P.A., **Chairman**
Irv Chazen
Arthur Fernandez
Barry Jordan
Calvin Samuels
Kenneth Scott, **Vice Chairman**
Todd Stiff
David Barry Yocum
Juan Zuniga

Members Excused

Lucio Rivero

Members Absent

Michael Affronte

Staff Present

Benjamin Simon, Assistant County Attorney
Michael Goolsby, Board and Code Administration Division Director
Kathy Charles, Board Administrator
Daniel Vuelta, Contractor Enforcement Section Supervisor
Shirley D. Brown, Contractor Licensing Section Supervisor
Luis Y. Lopez, Recording Secretary

Court Reporter

Janice Aguirre, Miami Dade County Court Reporters, Inc.

Review and Approval of Minutes

The Chairman Nestor Bustamante requested a motion to approve the **minutes of the April 8th, 2014** Board meeting. A motion was made by Juan Zuniga to **accept the minutes as written**. Mr. Barry Jordan seconded the motion. The **motion carried unanimously**.

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Formal Hearing

Appearances

Reconsideration of Penalty

Buddha, Inc. d/b/a/ Buddha Flooring & Paint
Cuadra Guillermo Rene, Qualifying Agent
Finish Carpentry
License # 03BS00194
Complainant: C. Chloe Keidaish
Investigator: Carlos Ollet

Mr. Richard Docobo, Qualifying Agent's Attorney, is requesting a reconsideration of penalty of the Formal Hearing held on February 11th, 2014.

Result: Chairman Nestor Bustamante notified the Board Members that Mr. Cuadra, Qualifying Agent, was found guilty at the hearing held on February 11th, 2014, where the Board unanimously suspended the Qualifying Agent's License immediately for one (1) year, pay a fine of \$285.72 dollars per count in the total amount of \$10,000.00 dollars, and pay administrative costs incurred in the amount of \$992.00 dollars payable to Miami-Dade County. Mr. Bustamante informed the Members that the Qualifying Agent is requesting a reconsideration of the penalty.

Mr. Benjamin Simon, Assistant County Attorney, informed the Board that if they were to reconsider the penalty, Mr. Cuadra's Attorney would dismiss his current Circuit Court Appeal. He further advised the Board that if the County were to lose the appeal, the Qualifying Agent's Board Order would then be null and void. Mr. Simon indicated that the Board could impose a fine of \$4,000.00 dollars and a suspension of four (4) months on the Qualifying Agent's license, as this would maintain a penalty on the Qualifying Agent's record.

Chairman Nestor Bustamante commented that the Board could have implemented a fine up to \$5,000.00 per count. As such he advised that the penalty could be viewed as reasonable in light of the number of counts.

Mr. Richard Docobo indicated to the Board that he would drop the appeal, if the Board agreed to lower the penalty. He clarified that the issue of this case was whether Mr. Cuadra contracted for work of an Electrical Contractor, who actually did the electrical work, beyond the 50% of scope of the contract. Mr. Docobo informed the Board that there was no actual testimony presented that refuted the affidavits that he provided at the hearing. He clarified that he believed it was a reasonable compromise given the circumstances. Mr. Docobo notified the Board Members that the Circuit Court Appeal could result in the conclusion that the evidence submitted at the hearing was insufficient and a reversal of the Board's ruling.

Mr. Todd Stiff indicated that he was inclined to deny the request to reconsider the penalty. He advised that he would like to let the appeal go thru the process and allow the Court to determine if the Board's ruling was incorrect. Mr. Bustamante related that members have accepted Staff

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recommendations before however it would not be the first time the Board has rejected the County’s suggestion to reach an agreement. Mr. Simon clarified that the compromise proposed does not give up the finding of guilt and the Qualifying Agent would still be accessed with a fine and a suspension of his license. Board Member Irv Chazen stated that he believed the Board acted responsibly considering the evidence submitted by Staff and he doesn’t see any reason to justify further leniency and would be comfortable with Court results.

Upon further discussion, Mr. Stiff moved to **deny** Mr. Cuadra’s request to reconsider the penalty on the matter heard before the Board on February 11th, 2014. Mr. Irv Chazen seconded the motion. The **motion carried unanimously**.

Appearances

Mechanical

---None---

Plumbing

Alex Duenas
Master Plumber
Exam Applicant (Personal)

Trade Experience

Result: Mr. Todd Stiff inquired if the applicant had a Miami Dade Journeyman License. Mr. Duenas was present and informed the Board that he did not have a Miami Dade County Journeyman License. He notified the Board that for the last eight (8) years he operated his own company. Mr. Duenas informed the Board that he recently was given a citation for operating without a certificate. Upon further discussion, Mr. Stiff moved to **deny** Mr. Duenas **Exam Application** in the *Master Plumber* category due to not having a Miami Dade County Journeyman’s License. However, the applicant was **approved** to take the Journeyman’s Exam. Mr. Barry Jordan seconded the motion. The **motion carried unanimously**.

Rene A. Guerra
Master Portable Chemical Toilets
Change of Affiliation
From: Scaffolds of Florida Inc.
To: J & M Scaffolds of Florida, Inc.
Note: Pending Business Credit Report

Derogatory Personal Credit Report

Result: Mr. Guerra’s appearance was rescheduled for next month CTQB meeting of June 10th, 2014.

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Reciprocity – Personal Certificate – West Palm Beach

---None---

Reciprocity – Business/Personal Certificate – West Palm Beach

---None---

Exam Applicants – Journeyman Burglar Alarm

---None---

Exam Applicants – Journeyman Fire Alarm

---None---

Exam Applicants – Journeyman Electrician

*The Board reviewed and **approved** the following applications:*

Rolando Ayala
Eduardo A. Barreto
John Burdash
Armando Felipez
John Florez
Chad Hamker
Andres Jimenez
Manuel Lago-Gonzalez
Justo Martinez

Exam Applicants – Journeyman Sign Electrician

---None---

Exam Applicants – Maintenance Electrician

*The Board reviewed and **approved** the following application:*

Alfonso A. Zayas

Exam Applicants – Master Burglar Alarm

---None---

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Exam Applicants – Master Electric Utility

---None---

Exam Applicants – Master Electrician

*The Board reviewed and **approved** the following applications:*

Rodolfo Carrasco
Noel Hernandez
Freddy Pradenas, Jr.
Sergio Velazquez

Exam Applicants – Master Fire Alarm

---None---

Exam Applicants – Master Low Voltage

*The Board reviewed and **approved** the following application:*

Denis Lamas

Exam Applicants – Master Sign Electrician

---None---

Exam Applicants – Master TV Antenna

---None---

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Mechanical Application/File Review

New Certification

---None---

Change of Affiliation

*The Board reviewed and **approved** the following application:*

Bradley D. Yow

Master Pneumatic Control Piping

From: All Around Welding Inc.

To: Complete Security Service, LLC.

Note: Pending Business/Personal Credit Reports and 32 Hours of Continuing Education

Inactive Status

---None---

Reciprocity – Personal Certificate Only – Broward County

---None---

Reciprocity – Business/Personal Certificate – Broward County

---None---

Reciprocity – Personal Certificate Only – West Palm Beach

---None---

Reciprocity – Business/Personal Certificate – West Palm Beach

---None---

Exam Applicants – Journeyman Air Conditioning

*The Board reviewed and **approved** the following application:*

Javier Aranda

Note: Pending three (3) years of W2's

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Exam Applicants – Journeyman General Mechanical

---None---

Exam Applicants – Journeyman Pressure & Process Piping

---None---

Exam Applicants – Journeyman Refrigeration

---None---

Exam Applicants – Sheet Metal

---None---

Exam Applicants – Master Air Conditioning – Limited

---None---

Exam Applicants – Master Air Conditioning – Unlimited

---None---

Exam Applicants – Master Ammonia Refrigeration

---None---

Exam Applicants – Master General Mechanical

---None---

Exam Applicants – Master Room Air Conditioning

---None---

Exam Applicants – Master Refrigeration & Air Conditioning

---None---

Exam Applicants – Master Sheet Metal

*The Board reviewed and **approved** the following application:*

Yunior Garcia

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Exam Applicants – Master Steam Generator Boiler & Piping

---None---

Exam Applicants – Master Transporting Assembly Install

---None---

Exam Applicants – Mechanical Maintenance

---None---

Plumbing Application/File Review

New Certification

---None---

Change of Affiliation

---None---

Inactive Status

---None---

Reciprocity – Personal Certificate Only – Broward County

---None---

Reciprocity – Business/Personal Certificate – Broward County

*The Board reviewed and **approved** the following application:*

Robert H. Mainguy
Master Lawn Sprinkler

Mainguy Environmental Care Inc. d/b/a
Mainguy Landscape Services

Exam Applicants – Journeyman Gas Fitter

---None---

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Exam Applicants – Journeyman Plumber

The Board reviewed and **approved** the following applications:

Jeissen S. Gaviria

Exam Applicants – Maintenance Plumber

---None---

Exam Applicants – Master Gas Fitter

---None---

Exam Applicants – Master Lawn Sprinkler

The Board reviewed and **approved** the following application:

Joanel Saint-Georges
Michael T. Walker

Exam Applicants – Master Plumber

---None---

Exam Applicants – Master Portable Chemical Toilets

---None---

Exam Applicants – Master Swimming Pool Maintenance – Limited

---None---

Exam Applicants – Master Swimming Pool Maintenance – Unlimited

---None---

Exam Applicants – Master Swimming Pool Piping

---None---

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Report

---None---

Board Discussion

Electrical Inspection for Swimming Pools (Board Member Mr. Irv Chazen)

The Electrical Inspection Manual was provided to the Board Members to discuss the recent tragedies regarding swimming pools. Board Member Irv Chazen informed the Board that the Swimming Pool Association will be distributing information on how to prevent drowning and trapping in a pool. The Association will encourage the public to obtain the services of a qualified and certified electrician to inspect their pools. Mr. Chazen also indicated that a provision should be implemented that every pool should be recertified by a licensed electrical contractor or inspector. He emphasized that most pools built today don't have the issue of entrapment danger. Mr. Chazen indicated that he would like to see action on prevention of electrocution and drowning.

Mr. Michael Goolsby, Board and Code Administration Division Director, informed the Board that the issue is with the existing pools and property owner can be seduced by an unlicensed contractor. He advised the Board that his staff met with the media to educate the public on how to prevent this type of incident. Mr. Goolsby informed the Board that the Florida Building Code requires low voltage light on commercial pools but does not have same requirement for residential.

Mr. Oriol Haage, Electrical Training and Certification Officer, informed the Board that he serves on the Electrical TAC meet at the State for the Florida Building Code and has tried to enact the low voltage requirement.

Continuing Education

---None---

Probable Cause Case

---None---

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Board Information

The Board acknowledged the Miami-Dade County Examination Administration Report – April 1st, 2014 to April 29th, 2014.

There being no further business, the meeting adjourned at 11:47 A.M.